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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA**

In re:

MUSCLEPHARM CORPORATION,

Debtor.

Case No.: 22-14422-nmc

Chapter 11

Hearing Date: N/A

Hearing Time: N/A

**JOINDER TO THE COMMITTEE'S *EX PARTE* MOTION  
FOR AN EMERGENCY STATUS CONFERENCE PURSUANT  
TO SECTION 105(d) OF THE BANKRUPTCY CODE**

MusclePharm Corporation, the debtor and debtor-in-possession in the above-referenced Chapter 11 case (the “**Debtor**”), by and through its counsel of record, Schwartz Law, PLLC, hereby submits this joinder to the *Ex Parte Motion for an Emergency Status Conference Pursuant to Section 105(d) of the Bankruptcy Code* filed by the Official Committee of Unsecured Creditors (the “**Committee**”) [ECF No. 637] (the “**Scheduling Motion**”).

**JOINDER**

1. The recent tumult in this Chapter 11 case, including the stay of the sale process, the pending trustee motion, and the recent charges against Ryan Drexler by the Securities and Exchange Commission (“**SEC**”), is destabilizing the Debtor’s reorganization. Specifically, the Debtor’s suppliers are concerned that the financing for the Debtor’s operations will stop if a Chapter 11 trustee is appointed. If the financing stops, suppliers may not be paid. The Debtor understands that the risk of nonpayment is causing those suppliers to consider whether production of the Debtor’s products should be delayed until these matters are resolved. The Debtor cannot

1 afford production delays, as it already has roughly \$1.7M of unfilled orders. These orders remain  
2 unfilled because the Debtor had to restart operations post-filing. Restarting operations included  
3 restarting production, which naturally included manufacturing delays. While there is demand for  
4 the Debtor's products, that demand will go elsewhere if the Debtor cannot perform.

5 2. Similarly, the Debtor's customers are now raising concerns of whether they will  
6 receive product orders. The uncertainty hovering over the direction of this Chapter 11 case is  
7 slowing orders, and, the Debtor believes, causing customers to place orders with competitors.

8 3. Further, certain of the Debtor's vendors are targets of Ryan Drexler's litigation and  
9 likely to receive discovery related to this case. None of the Debtor's vendors, suppliers or  
10 counterparties wish to be pulled into the trustee motion process or the SEC case. These parties can  
11 do business with other entities that do not have bankruptcy or SEC risk. The combined jeopardy of  
12 (a) doing business with a Chapter 11 debtor and (b) unnecessary litigation, is causing the Debtor's  
13 counterparties to take a "wait and see" approach. These are uncertainties the Debtor cannot afford.

14 4. The Debtor's management has excelled in both restarting operations and driving  
15 product demand. Those victories may be short lived, however, if the market is not given confidence  
16 that this bankruptcy case has an exit, which exit will include the continued production and sale of  
17 MusclePharm products and merchandise. Accordingly, the Debtor joins the Committee's  
18 Scheduling Motion and the relief requested therein.

19 DATED: June 30, 2023.

20 Respectfully Submitted,

21 SCHWARTZ LAW, PLLC

22 By: /s/ Samuel A. Schwartz  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent electronically via the Court's CM/ECF System on June 30, 2023, to the following:

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19  
20 /s/ Brian J. Braud  
21 Brian J. Braud, an employee of  
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